IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

WP(C).No. 15861 of 2004(L)

OS.145/1996 of PRINCIPAL SUB COURT,ATTINGAL

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PETITIONER:

RAJENDRAN, S/O.LAKSHMI, PUTHENVEEDU,
KILIMANOOR.

BY ADV. SRI.MANOJ R.NAIR
SRI.P.RAVEENDRAN PILLAI

RESPONDENT:

STATE BANK OF INDIA, REP. BY ITS MANAGER
PONGANADU BRANCH, PONGANADU, KILIMANOOR.

BY ADV. SRI.P.V.SURENDRANATH, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.15861/04

APPENDIX

PETITIONER'S EXTS:

EXT.P1 – TRUE COPY OF EP FILED BEFORE THE COURT BELOW ON 22.11.02.

EXT.P2 – TRUE COPY OF OBJECTIONS FILED BEFORE COURT BELOW DT.26.3.03

EXT.P3 – TRUE COPY OF REPORT OF COMMR. SUBMITTED BEFORE COURT BELOW, DT.9.1.04.

EXT.P4 – TRUE COPY OF OBJECTIONS FILED BY PETR. TO EXT.P3.

EXT.P5 – TRUE COPY OF DETAILED OBJECTIONS FILED R4 AND 6 BEFORE COURT BELOW.

EXT.P6 – TRUE COPY OF PROCLAMATION ISSUED BY COURT BELOW.

/TRUE COPY/

PIUS C. KURIAKOSE, J.

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W.P.(C)No.15861 OF 2004

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DATED THIS THE 14TH JUNE, 2007

J U D G M E N T

The learned counsel for the petitioner seeks adjournment.

2. As rightly pointed out by Mr.P.V.Surendran, Standing Counsel for the respondent-Bank, the order of stay was refused to be extended by this Court on the reason that the petitioner did not comply with the conditions imposed by this Court for granting stay. The order vacating stay was issued as far back as on 4th October, 2004. Under these circumstances, this Court will not be justified in entertaining this Writ Petition any longer. Even otherwise, a person who does not comply with the conditions imposed by this Court for granting interim relief is not entitled for favourable exercise of discretionary jurisdiction.

The Writ Petition is dismissed. No costs.

(PIUS C.KURIAKOSE, JUDGE)

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